

REMARKS

Claims 36-75 are pending in the application. Claims 36-43 have been allowed. Claims 44, 45 and 47-75 stand rejected in the referenced office action. Claim 46 has been objected to. Claims 36 and 44 are independent claims.

In the present document, the claims including claim 36, have been amended where necessary to replace intended use language with operative language

Claims 37 and 39-43 have been amended to make their language consistent with that of amended claim 36.

Independent claim 44 has been canceled.

Claims 46-50, 52-54 and 66 have been canceled.

The remaining claims have been amended where appropriate to depend upon independent claim 36.

No new matter has been added by the amendments. Reconsideration of the application as amended is respectfully requested. The Examiner's objections and rejections are addressed in substantially the same order as in the referenced office action.

OBJECTIONS TO THE SPECIFICATIONS

The Examiner has objected to the specifications as lacking a proper reference to the parent application Ser. No. 09/542,307. The specifications have been amended in a manner that is believed to address this objection.

OBJECTION TO THE ABSTRACT

The Examiner has objected to the Abstract because it does not adequately describe the invention. The Abstract has been amended in a manner that is believed to address this objection.

OBJECTION TO THE CLAIMS

The Examiner has objected to claim 46 as being a substantial duplicate of claim 36. Claim 46 has been canceled.

REJECTIONS UNDER 35 USC § 112

Claims 44-45 and 47-75 stand rejected under 35 USC §112 ¶1 as being based on a disclosure that is not enabling. Claim 44 is an independent claim and has been canceled. Claims 45 and 47-50, 52-54 and 66 have been canceled. The remaining claims 51, 55-65 and 67-75 have been amended to depend upon claim 36 which is allowable. Accordingly, the pending claims as amended are patentable under 35 USC §112 ¶1

Claim 73 stand rejected under 35 USC §112 ¶2 as being indefinite for failing to particularly point out and distinctly claim the subject matter that is believed to be the invention. Claim 73 has been amended to change its dependency to claim 36. Accordingly, claim 73 as amended is patentable under 35 USC §112 ¶2.

REJECTIONS UNDER 35 USC § 102

Claims 44-45 and 47 stand rejected under 35 USC § 102(b) as being anticipated by *Olsen et al.*, "Three-Dimensional Dynamic Simulation of the 1992 Landers Earthquake," *Science*, vol. 278, No. 5410, pp 834-838 (31 October 1997).

Claims 44 and 47 have been canceled.

Claim 45 has been amended to depend upon claim 36, an allowable claim and is thus patentable.

No fee is believed to be due for these amendments and attached documents. The Commissioner is authorized to charge any fee due for the amendments herein and to charge any deficiency to **Deposit Account No. 13-0010 (CON-1006D2)**

Respectfully submitted,



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